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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,288	08/18/2003	Shiang-Sheng Cheng	AMI-2591	2018

7590 03/05/2004  
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Tainan City, 704  
TAIWAN

EXAMINER

HUYNH, KHOA D

ART UNIT	PAPER NUMBER
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3751

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/642,288

Applicant(s)

CHENG, SHIANG-SHENG

Examiner

Khoa D. Huynh

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: through out the specification, the term "bawl" should read --bowl--.

Appropriate correction is suggested.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities: the recitation "bawl" should read --bowl--. Appropriate correction is suggested.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, are presently understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Geeham (5873136).

The Geeham reference discloses a water-saving toilet (Fig. 2) having a bowl (12), a water tank (14), a two-stage flush mechanism (22a,20a), a water storing area (about 24) formed in the bottom of the bowl, a bent passageway (30) communicating with a drain way (42), said drain way connected to a drain pipe (about 36) for waste to pass through. The water storing area has a vertical through hole (55a) in its bottom, and a valve control device (16) positioned in the bowl. The valve includes a valve (Fig. 4), a valve cap (55), a drive rod (59) and

an operating rod (see added notation in Fig. 3). As shown in Figure 3, the valve is positioned in the through hole and having a vertical passageway (see added notation in Fig. 4), wherein the vertical passageway connecting the water storing area (about 24) with the drain way (42). The valve cap (55) is disposed on the valve. A push rod (see added notation in Fig. 3) is connected downward to the valve cap (55) and extended in the vertical passageway. The push rod is pivotally connected at its lower end to the drive rod (59) (regarding the recitation "to the left", if the drawing is rotated 180 degree to the right, it is indeed the push rod is connected to the left end of the drive rod), and the drive rod is connected to the operating rod. The operating rod has its upper end protruding and exposing out of the bowl. As shown in Figure 4, the outer end of the operating rod is to be pushed down manually to move the push rod upwardly and push up the valve cap to open the valve, thus, allowing waste water to flow through the vertical passageway down to the drain way.

Regarding claim 2, as shown in Figure 3, the drive rod (59) has the "right" (if drawing rotated) end connected to one end of a connect rod (see added notation in Fig. 3) and the other end of the connect rod is connected to the operating rod. The drive rod (59) also has a ball block (61) fitted around an intermediate portion (about 63) and contained in a chamber (Fig. 4) connected to the valve. As shown in Figure 4, the ball block is functioning as a fulcrum and allowing the drive rod to move upward when actuated by the operating rod.

Regarding claim 3, the operating rod has a press button (50) fixed on the outer end for a user to manually press down.

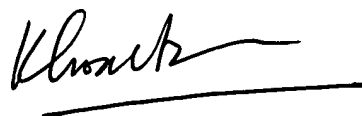
**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Geeham ('850) was cited to show a water saving toilet having valve located at the bottom of the water storing area.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa D. Huynh whose telephone number is (703) 306-5483. The examiner can normally be reached on M-F (7:00-4:30) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on (703) 308-2580. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khoa D. Huynh

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Patent Examiner  
Art Unit 3751

HK  
03/04/2004